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AUG 12 1992

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August 11, 1992

Via Federal Express

The Honorable Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

ATTENTION: Allocations Branch
Policy and Rules Division

Re: Amendment of FM Table of Allotments
(Greenville, Georgia)

Dear Ms. Searcy:

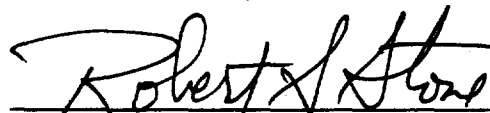
Enclosed please find an original and four copies of a Petition for Rulemaking, filed herewith on behalf of Orchon Broadcasting Company, Inc., permittee of WEJG (FM), (applied for) Greenville, Georgia. As noted therein, the Petition requests the substitution of FM Channel 239C3 for Channel 239A at Greenville. Also enclosed is an additional copy of the Petition which we would appreciate your returning to the undersigned in the enclosed postage paid, self-addressed envelope after it has been date-stamped by your office.

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter.

Sincerely,

MCCAMPBELL & YOUNG, P.C.

By:



Robert S. Stone
Counsel to Orchon Broadcasting Company

RSS/pd

Enclosures

cc: Orchon Broadcasting Company, Inc.

ORIGINAL
FILE

FEDERAL COMM. COMMISSION
OFFICE OF THE
SECRETARY

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MAIL BRANCH

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments,
FM Broadcast Stations.
(Greenville, Georgia)

)
)
)
)
)

MM Docket No. _____
RM- _____

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Orchon Broadcasting Company, permittee of WEJG(FM), (applied for), Greenville, Georgia ("Orchon" or "Petitioner"), by its attorneys, and pursuant to § 1.420(g)(3) of the Commission's rules, hereby respectfully submits its Petition for Rulemaking, which seeks an amendment to the Commission's Table of FM Allotments, found in § 73.202(b) of the Commission's rules, so as to substitute FM Channel 239C3 for FM Channel 239A, at Greenville, Georgia. In support whereof, the following is shown:

1. As noted above, Orchon currently serves as Permittee of WEJG, authorized to operate on FM Channel 239A at Greenville, Georgia. The channel requested by Orchon as substitution for its presently assigned channel represents a mutually exclusive higher class co-channel allotment, thus requiring the deletion of FM Channel 239A. Consistent with § 1.420(g)(3) of the Commission's rules, the Commission may modify the construction permit of Orchon for the operation of WEJG on the requested upgraded channel during the course of the instant rulemaking. To that end, Orchon hereby sets forth its present and ongoing commitment to submit a minor change construction permit application promptly following substitution of FM

Channel 239C3 for FM Channel 239A at Greenville, Georgia, so as to provide for operation with maximum facilities for a Class C3 FM station from a transmitter site which would meet all mileage separation requirements of the Commission's rules as well as all other rules governing the operation of such a facility of FM Channel 239C3. In that regard, Orchon has already filed an application for modification of its construction permit, so as to allow for operation from a transmitter site at the coordinates specified herein, which site complies with minimum separation and principal community coverage rules for either Class A or Class C3 facilities. Upon grant of its Petition for Rulemaking and application for modification of construction permit, Orchon hereby commits to prompt construction and commencement of operations of WEJG on FM Channel 239C3.

2. In further support of the instant request, the Commission's attention is directed to Orchon's technical feasibility study attached hereto. As noted therein, based upon the geographic coordinates proposed, operation on FM Channel 239C3 would comply with all mileage separate requirements as well as rules governing principal community coverage and all other technical requirements with respect to Greenville, Georgia, Orchon's community of license.

3. Favorable action on the instant request would allow Orchon to increase service to the community of Greenville and surrounding areas. Thus, the allotment of Channel 239C3 to Greenville would further the goals underlying the Commission's decision to permit co-channel "upgrades" without accepting competing applications. Specifically, grant of Orchon's request would promote spectrum efficiency and would be consistent with the Commission's policy of encouraging licensees to improve their facilities. See, Report and Order in MM Docket No. 85-313, 60 R.R.2d 114 (1986). Accordingly, favorable action by the Commission on the instant petition would be consistent with its own rules of substance and procedure, non-

burdensome for other licensees of the Commission, and in furtherance of the public interest, convenience, and necessity.

WHEREFORE, premises considered, Orchon Broadcasting Company respectfully requests the Commission to substitute FM Channel 239C3 for Channel 239A at Greenville, Georgia, and to modify the construction permit of WEJG (FM) to allow operation as requested herein.

Respectfully submitted,

ORCHON BROADCASTING COMPANY

MCCAMPBELL & YOUNG, P.C., Its Attorneys

By:


Robert S. Stone

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August 11, 1992

ENGINEERING STATEMENT

GREENVILLE, GEORGIA

FM CHANNEL 239C3

for

Orchon Broadcasting Company, Inc.

Permittee of New FM on Channel 239A, Greenville, GA

The attached engineering study of channel 239C3 for Greenville, Georgia was performed using the Commission's separation criteria contained in 47 C.F.R. Section 73.207, Minimum Distance Separation Between Stations. This study indicates that channel 239C3 can be assigned to Greenville, Georgia 1/ with the reference point 2/ situated 13.7 kilometers west of the community.

DISCUSSION

An FM channel search on channel 239C3 at the Greenville, GA center-city coordinates indicates that this channel would be short-spaced by 1.6 kilometers to WNGC, channel 238C in Athens, Georgia; by 9.0 kilometers to WTGA, channel 237A serving Thomaston, Georgia; and by 2.9 kilometers to WKLS, channel 241C assigned to Atlanta, GA. See Exhibit I: FM Channel Spacing Study - from the Greenville, GA city-center.

1/ Coordinates for Greenville, GA are N 33-01-42; W 84-42-48

2/ Proposed coordinates for channel 239C3 are N 33-01-39; W 84-51-39

However, further study reveals that a location approximately 13.7 kilometers west of Greenville meets all the applicable separation distances of Section 73.207 for channel 239C3. This location is mutually exclusive with the construction permit awarded Orchon on channel 239A serving Greenville, GA (BPH-901221MI) and is also the new location of Orchon's CP modification application filed August 11, 1992. See Exhibit II: FM Channel Spacing Study - from the proposed allocation point.

At maximum facilities (25 kw ERP; 100m HAAT) a class C3 city-grade contour will cover approximately 24 kilometers from the antenna site. Orchon has computed the city-grade coverage from the proposed antenna site to demonstrate that Greenville, GA lies within the 70 dBu contour. See Exhibit III.

Having shown that this proposal meets the separation requirements of 47 C.F.R. 73.207 and that it also meets the city-grade coverage requirements of Section 73.315, the public interest will be served by deleting channel 239A serving Greenville, GA and the allotment of channel 239C3 in its place.

D.R. Magnuson

Dwight R. Magnuson, P.E.

Dated: August 11, 1992



EXHIBIT I

FM CHANNEL SPACING STUDY

Job title: Greenville, GA city-center
 Channel: 239C3
 Database file name: d:/fccdatafm920730.edx

Latitude: 33 1 42
 Longitude: 84 42 48
 Pre-1989 Class A spacings?: N

CH	Call	Record	City	ST	Status	Bear.	Dist.	Reqd. Dist.	Result
240C2	WQZY	6130	Dublin	GA	CP	106.2	180.0	117.0	63.0
240C1	WQZY	6156	Dublin	GA	APP	100.4	205.5	144.0	61.5
240C1		6161	Dublin	GA	VACANT	100.7	207.6	144.0	63.6
240A	WQZY	6165	Dublin	GA	LIC	106.2	180.0	89.0	91.0
292C2		6704	Fort Valley	GA	USED	121.5	100.5	17.0	83.5
292C2	WQBZ	6729	Fort Valley	GA	CP MOD	108.1	95.2	17.0	78.2
292A	WQBZ	6739	Fort Valley	GA	LIC	122.2	93.2	12.0	81.2
292C2	WQBZ	6748	Fort Valley	GA	CP	108.1	95.2	17.0	78.2
238C	WNGC	6789	Athens	GA	LIC	47.3	174.4	176.0	-1.6
238C		6790	Athens	GA	USED	47.3	174.4	176.0	-1.6
242C1		7318	Albany	GA	USED	161.5	160.4	76.0	84.4
242C1	WJIZFM	7333	Albany	GA	LIC	161.5	160.4	76.0	84.4
237A	WTGAFM	7342	Thomaston	GA	LIC	123.7	33.0	42.0	-9.0
237A		7343	Thomaston	GA	USED	123.7	33.0	42.0	-9.0
236A		7345	Montezuma	GA	USED	141.4	103.4	42.0	61.4
239A	NEW	7360	Greenville	GA	CP	204.1	15.6	142.0	-126.4
236A	WLML	7361	Montezuma	GA	CP	141.7	103.1	42.0	61.1
239A		7362	Greenville	GA	USED	202.1	11.9	142.0	-130.1
236A		7363	Montezuma	GA	DEL	141.4	103.4	42.0	61.4
241C	WKLS	7385	Atlanta	GA	LIC	21.7	93.1	96.0	-2.9
241C		7397	Atlanta	GA	USED	21.7	93.1	96.0	-2.9
238C	WTVYFM	8013	Dothan	AL	LIC	194.8	203.4	176.0	27.4
238C		8018	Dothan	AL	USED	194.8	203.4	176.0	27.4
240A		8059	Tuskegee	AL	USED	230.9	114.3	89.0	25.3
240A	WBILFM	8083	Tuskegee	AL	LIC	230.9	114.3	89.0	25.3
240A	WBILFM	8084	Tuskegee	AL	CP	232.7	101.6	89.0	12.6
237A	WASZ	8099	Ashland	AL	LIC	286.7	110.4	42.0	68.4
237A		8101	Ashland	AL	USED	286.7	110.4	42.0	68.4
239A		8138	Trion	GA	VACANT	342.5	176.6	142.0	34.6
239A	NEW	8139	Trion	GA	APPDID	341.6	168.8	142.0	26.8
239A	NEW	8140	Trion	GA	APPGID	341.6	168.7	142.0	26.7
239C1		9321	Tuscaloosa	AL	USED	275.0	263.9	211.0	52.9
239C1	WFFX	9328	Tuscaloosa	AL	LIC	275.0	263.9	211.0	52.9
239C1	WFFX	9336	Tuscaloosa	AL	CP MOD	271.4	264.9	211.0	53.9

***** End of channel 239 study *****

EXHIBIT II

FM CHANNEL SPACING STUDY

Job title: Greenville, GA Allocation Point
 Channel: 239C3
 Database file name: d:/fccdata/fm920730.edx

Latitude: 33 1 39
 Longitude: 84 51 39
 Pre-1989 Class A spacings?: N

CH	Call	Record	City	ST	Status	Bear.	Dist.	Reqd. Dist.	Result
240C2	WQZY	6130	Dublin	GA	CP	104.9	193.3	117.0	76.3
240C1	WQZY	6156	Dublin	GA	APP	99.6	219.1	144.0	75.1
240C1		6161	Dublin	GA	VACANT	99.9	221.1	144.0	77.1
292C2		6704	Fort Valley	GA	USED	117.7	112.5	17.0	95.5
292C2	WQBZ	6729	Fort Valley	GA	CP MOD	105.7	108.4	17.0	91.4
292A	WQBZ	6739	Fort Valley	GA	LIC	118.1	105.0	12.0	93.0
292C2	WQBZ	6748	Fort Valley	GA	CP	105.7	108.4	17.0	91.4
238C	WNGC	6789	Athens	GA	LIC	50.1	184.8	176.0	8.8
238C		6790	Athens	GA	USED	50.1	184.8	176.0	8.8
242C1		7318	Albany	GA	USED	156.9	165.3	76.0	89.3
242C1	WJIZFM	7333	Albany	GA	LIC	156.9	165.3	76.0	89.3
237A	WTGAFM	7342	Thomaston	GA	LIC	113.7	45.1	42.0	3.1
237A		7343	Thomaston	GA	USED	113.7	45.1	42.0	3.1
236A		7345	Montezuma	GA	USED	135.8	112.5	42.0	70.5
239A	NEW	7360	Greenville	GA	CP	152.5	16.0	142.0	-126.0
236A	WLML	7361	Montezuma	GA	CP	136.1	112.1	42.0	70.1
239A		7362	Greenville	GA	USED	139.7	14.3	142.0	-127.7
236A		7363	Montezuma	GA	DEL	135.8	112.5	42.0	70.5
241C	WKLS	7385	Atlanta	GA	LIC	29.0	99.1	96.0	3.1
241C		7397	Atlanta	GA	USED	29.0	99.1	96.0	3.1
238C	WTVYFM	8013	Dothan	AL	LIC	190.9	200.2	176.0	24.2
238C		8018	Dothan	AL	USED	190.9	200.2	176.0	24.2
240A		8059	Tuskegee	AL	USED	226.1	103.9	89.0	14.9
240A	WBILFM	8083	Tuskegee	AL	LIC	226.1	103.9	89.0	14.9
240A	WBILFM	8084	Tuskegee	AL	CP	227.4	91.0	89.0	2.0
237A	WASZ	8099	Ashland	AL	LIC	289.0	97.3	42.0	55.3
237A		8101	Ashland	AL	USED	289.0	97.3	42.0	55.3
237A		8131	Coosa	GA	USED	341.2	141.3	42.0	99.3
237A	WSRM	8133	Coosa	GA	CP	340.9	137.1	42.0	95.1
239A		8138	Trion	GA	VACANT	346.7	173.1	142.0	31.1
239A	NEW	8139	Trion	GA	APPDID	346.0	165.0	142.0	23.0
239A	NEW	8140	Trion	GA	APPGID	346.0	165.0	142.0	23.0
240C3		8783	Guntersville	AL	VACANT	320.7	196.0	99.0	97.0
239C1		9321	Tuscaloosa	AL	USED	275.2	250.2	211.0	39.2
239C1	WFFX	9328	Tuscaloosa	AL	LIC	275.2	250.2	211.0	39.2
239C1	WFFX	9336	Tuscaloosa	AL	CP MOD	271.4	251.1	211.0	40.1

***** End of channel 239 study *****

